IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

-

WRIT PETITION NO : 13001 of 2000

Between:

J.V.N.Durga Rao, S/o.J.V.Narasimha Rao,
R/o.Vaddivari Street, Vijayawada.

..... PETITIONER

AND

1 The Superintending Engineer, A.P. Transco,
Opp. P.W.D. Grounds, Bandar Road, Vijayawada.
2 Kikkiri Kotireddy, S/o.Kotaiah,
R/o.11-63-11, Brahmin Street, Vijayawada-1.
(Dismissed for default as per Court order

dated 08-09-2003 as against R.2).

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or directions more particularly one in the nature of Writ of Mandamus declaring the inaction of the Respondent No.1 as illegal and *ultra vires* to the provisions of Art.14 of the Constitution of India besides directing the Respondent No.1 to take appropriate action to disconnect the service connection No.210219/HV-III phase.

Counsel for the Petitioner: MR. V.S.R.ANJANEYALU

Counsel for Respondent No.1: MR. V.AJAY KUMAR (SC FOR A.P. TRANSCO)

The Court made the following:

ORDER:

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This writ petition is filed seeking to declare the action of the first respondent in not taking action for disconnection of power supply to Service Connection No.210219/HV-III Phase of the second respondent as illegal.

It is the case of the petitioner that the second respondent is running a flourmill without obtaining due permission from the concerned authorities and causing lot of nuisance. Earlier, this Court passed an interim order on 29-06-2001 in W.P.M.P. No.16546 of 2000 directing the first respondent to consider the representations made by the petitioner on 02-11-1999 and 03-06-2000 and pass appropriate orders. However, subsequently, so far as the second respondent is concerned, the writ petition is dismissed for default in view of the orders of the Court dated 08-09-2003.

As much as the writ petition is dismissed for default against the second respondent, no positive direction can be issued to disconnect the power supply. But, however, if any representations of the petitioner are pending before the first respondent, it is open for him to dispose of them as per law.

Subject to the above directions, the writ petition is disposed of. No order as to costs.

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R.SUBHASH REDDY, J

21st June, 2005.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Superintending Engineer, A.P. Transco, Opp.P.W.D. Grounds,

Bandar Road, Vijayawada.

2. Two CD copies.